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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

ESTEPHANICA POPPIE MANSO,
Plaintiff,
v.
KILOLO KIJAKAZI¹,
Commissioner of Social Security,
Defendant.

CIVIL NO. 2:20-cv-02067-TLN-KJN

**STIPULATION TO VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g) AND TO
ENTRY OF JUDGMENT; ORDER**

IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Upon remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to
2 (1) attempt to locate the May 26, 2005 opinion of David Gross, M.D., and if it cannot be located,
3 reconstruct the opinion with the assistance of a medical expert; (2) reconsider whether the
4 claimant experienced medical improvement, and if so, substantiate this finding with specific
5 citations to the evidence in accordance with 20 C.F.R § 416.994; and (3) offer the claimant the
6 opportunity for a hearing, address the submitted additional evidence, take further action to
7 complete the administrative record resolving the above issues, and issue a new decision.

8 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
9 Social Security Act, 42 U.S.C. 405(g).

10
11 Dated: August 12, 2021

/s/ Robert C. Weems*

ROBERT C. WEEMS

Attorney for Plaintiff

*Authorized via e-mail on Aug. 12, 2021

PHILLIP A. TALBERT

Acting United States Attorney

DEBORAH LEE STACHEL

Regional Chief Counsel, Region IX

Social Security Administration

17 By: /s/ Ellinor R. Coder

ELLINOR R. CODER

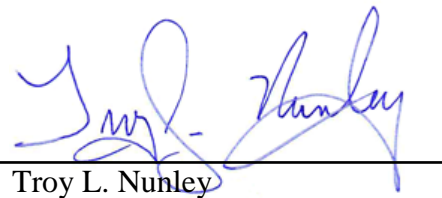
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation.

DATED: August 16, 2021


Troy L. Nunley
United States District Judge